

THE NEW HAVEN NOT BLAMED FOR WRECK

Coroner Holds Doherty Also
Blameless for Stamford
Disaster.

SAFETY, BRAKES ADVISED

Disagrees With Interstate and
Public Utilities
Commissions.

BRIDGEPORT, Conn., July 23.—The New Haven road management and Engineer Charles A. Doherty, who was in charge of engine 1333, which crashed into the rear end of the first section of the Springfield express at Stamford on June 12, killing several persons, are exonerated in the finding of Coroner John J. Phelan filed today.

While exonerating the road and the engineer, the coroner finds that Doherty acted in judgment in not applying the brakes sooner. He recommends that the road at once set the signals at Stamford at least 2,500 feet apart and immediately try out automatic stop devices at Stamford.

The finding is based on the death of Ada P. Kelley of Chicago, one of the passengers of the wooden Pullman car Sky-scraper, which was telescoped by Doherty's engine. After a lengthy review of the testimony and the laws setting forth what constitutes criminal negligence the coroner says he cannot find the road negligent in placing Doherty on the engine. Neither can the road be held for negligence in its equipment, nor for any defects in the schedule of the train, he says, as inspections failed to disclose any defects on the engine, even though it had been reported "working bad."

As to Doherty, the coroner says that while he erred in not setting the brakes sooner, he did set the brakes when he honestly thought it was necessary. On the day of the wreck, the coroner says, there was a question as to his mental and physical fitness to run the train because of nervousness induced by previous bad working of the brakes and by being forced to bring the train up suddenly at South Norwalk to prevent running over a child.

The coroner scores the practice of placing so much reliance on the engineer, and calls "foolhardy and dangerous" the allowing of two high speed trains to be together on the same track within a safety zone, such as at Stamford. The finding of Coroner Phelan is in direct disagreement with those of the Interstate Commerce Commission and the State Public Utilities Commission, both of which found the officials at fault for placing such an inexperienced man as Doherty on such a fast train.

Says Road Exercised Care.
The coroner finds that the road exercised all due care in testing Doherty's competency and assessing the danger of his incompetency is disproved by the evidence laid before him and by Doherty's record.

The finding of Coroner Phelan was based on the agreement between the road and engineers that an engineer must have at least one year's experience before being placed in charge of a fast passenger train and that Doherty had had such experience. He hopes, however, that this rule will be changed soon so as to require two or three years experience.

Doherty's error in not applying the brakes sooner, the coroner finds, was due probably to his past experience on other engines, which stopped more quickly than the new superheated type. He finds that the advertisement error had nothing to do with the brakes, but under the circumstances does not find that such error violated any legal rule imposing liability.

Doherty Elated Over News.

Charles J. Doherty, the engineer, expressed tonight great satisfaction over the finding of the coroner. Doherty said: "That is mighty good news to me and it will be good news to my wife. I just came down today to the railroad yards to talk with some railroad friends. I have not been doing anything since the accident and I cannot tell just now what I will do. The fact that the coroner finds I was not responsible makes some difference in my standing with the railroad company."

"I will go to work with the mind that an expert judgment I was not careless in this matter, and will do my best to make good that finding. I am all right now and this news makes me feel like any other man. I have not been hit for any employment up to this minute."

PREACHER HONORS WIFE IN WILL

Leaves Almost Entire Fortune to
Churches and Institutions.

The will of the Rev. Dr. Leander T. Chamberlain, a noted clergyman and author, who died at Pasadena, Cal., on May 23, 1912, has been filed for probate in the New York court.

The largest gift is \$100,000, which goes to the Theological, Agricultural and Industrial Institute of Salonica, Macedonia, which was founded partly by Dr. Chamberlain. The institute is also the residuary legatee, because the testator leaves its opportunities for the evangelization of the Near East are large.

The testator left \$20,000 to the Church of the Holy Trinity of Philadelphia for the benefit of the summer home conducted for the needy and weary by the church. The home was founded by Dr. Chamberlain. He gave \$25,000 to the Smithsonian Institution in Washington for the care and preservation of the collection of gems presented by his father-in-law, Dr. Lea, and \$10,000 for the Lea collection of fossils. The Hospital of the Protestant Episcopal Church, Philadelphia, gets \$10,000.

Dr. Chamberlain said that since all the property he possessed came from his wife, equity demanded that he distribute it to perpetuate her name and that of his noble and generous father, the residuary legatee. Dr. Chamberlain was a one time moderator of the Brooklyn Presbytery and was one of the founders of the Brooklyn Institute of Arts and Sciences.

THREE WIVES TELL ON BIDDLE.

No. 1 Gets Divorce Through Aid of
No. 2 and No. 3.

Mrs. Esther A. Biddle was quickly granted a divorce decree yesterday from Joseph A. Biddle by Supreme Court Justice Manning in Brooklyn after she and two other women had testified that they had been married to Biddle.

The plaintiff was the first wife. She said that she was married to him on May 29, 1911. Josephine Milhanak, the second wife, was married to him in December, 1912, and the marriage of Anna Biddle, the third wife, took place on May 24 last at the Church of the Transfiguration in Manhattan. The third wife testified that Biddle disappeared on July 15 last, the day she was served with a subpoena to testify in the divorce action.

THE GREEK BUST FOUND IN BALTIMORE



BALTIMORE, July 23.—The Greek statue believed to have been stolen from the National Museum of Greece is now in possession of Dr. Alexander C. Vouras at Washington and is being guarded carefully.

"Do you think it is the work stolen from Greece?" he was asked today.

"I cannot say," was the reply. "I have no description of the piece stolen from the National Museum at Athens. I do know that a priceless piece of art was stolen, but I do not know what it represented."

"I cannot place this piece of art except to say I hardly believe it is of the time of Pericles. I do not know whether or not it is a part of a statue or simply a bust."

Dr. Vouras said he had no archaeological mind of whom he will ask an opinion on the marble bust. He will not act until he hears from his Government. Dr. Vouras has the bust in his office, where there is always a trusted attaché of the legation. He keeps it covered so that it will not attract attention of those who enter the legation.

He has called his Government for instructions as to the course he should pursue regarding Nemphos, in whose cellar the statue was found.

SAYS "HOLD THE PHILIPPINES."

West Point Instructor Thinks It
Duty to Civilize Islands.

Col. Gustav J. Fieberger, head of the department of civil and military engineering at West Point and an old friend and classmate of Col. Goethals, chief engineer of the Panama Canal, called yesterday for the Canal Zone by the United Fruit liner Zacaipa. The colonel has opinions about the Philippines and the Mexican crisis. In regard to the former he said:

"It is the duty of the United States to hold the Philippines at any cost. It does not matter who may threaten to take them, England, Germany or Japan, we have practically contracted to protect them until they have been brought practically to the same level of civilization as that of the United States. Before that event it would be a crime for the United States to let them go. It is true that the Philippines would be of much more value to Japan than they are to us and they probably will be a very great burden to us; but we have shouldered the burden and we must continue to bear it until we have given them a real part in the civilization of the world."

"About the crisis in Mexico I believe that the United States cannot step in unless forced to do so by the foreign powers or invited to do so by a majority of the Mexicans themselves. Conditions in Mexico make it difficult to say who is and who is not a usurper. It is easy enough for outsiders to tell us to stop the trouble, stop the bloodshed and police the country; but we cannot do it without authority."

GUGGENHEIMS WANT TO CONTROL ENTERPRISES

Minority Stockholders Mostly
"Pestiferous," Asserts

Daniel Guggenheim.

Boston, July 23.—Daniel Guggenheim of New York, continuing his testimony today at the hearing before Thomas W. Proctor, sitting as master in the action of Lewis Ross of Brookline, a mining engineer, against Albert C. Burrage of Boston, seeking to get 5 per cent. of an allotment of \$25,000,000 of stock of the Chile Copper Company, which was made over to Mr. Burrage, as to the conference at Vichy, France, when Mr. Burrage tried to get the Guggenheims interested in financing his proposition for mining in Chile and Peru, Mr. Guggenheim said:

"I wanted the Bradley process tested before I went in with Mr. Burrage, for if it did not work out right the properties would not pay unless another process was invented. He told me that he did not want me to take over his interest, but that he would like to have me join him, and he wanted a certain percentage of the stock in the company."

"Mr. Burrage told me that he did not have all the stock of the old mining corporations. I told him it was absolutely necessary to control the whole business. It is our experience that the small shareholder on the outside can be pestiferous and usually is. We try to avoid having minority stockholders, for they are never satisfied with the majority action."

Mr. Guggenheim said it was a rule of the seven brothers "to avoid business letters when abroad." "When I was abroad," he said, "I combined business matters with personal affairs in my letters to my brothers, and they would dictate the business sections to a stenographer for filing."

HELP US SAVE THE TENEMENT BABIES

You have read much about the successful effort to reduce infant mortality in New York.

Has it ever occurred to you that you can and should share the burden of this campaign that is reaping an abundant harvest of happiness and health to the people in general?

\$24,000 SPENT LAST YEAR BY US FOR PURE MILK FOR SICK BABIES

Every cent of this went for milk—none for investigation or administrative expense. It purchased 260,000 quarts, which were given the families that the Board of Health and other investigators found were unable to purchase the pure product and the necessary quantity.

HOW MANY BABIES' BOTTLES WILL YOU HELP US TO FILL THIS SUMMER?

Send contributions to Robert Shaw Minors, Treasurer, Room 211, 106 East 22nd Street, NEW YORK ASSOCIATION FOR IMPROVING THE CONDITION OF THE POOR.

R. FULTON CUTTING, President.

McANENY IS GAINING WITH THE FUSIONISTS

Likely to Head One Ticket Presented by Committee on Candidates.

WHITMAN SECOND CHOICE

Tumor That Progressives Will Demand Mitchell or Go It Alone.

The candidacy of Borough President McAneny for Mayor has developed a good deal from the time his name was first presented to the fusion committee. At that time Mr. McAneny was in the anomalous position of being the favorite of a majority of the fusion committee, but the minority candidate when these individuals should come to vote collectively.

Mr. McAneny was described yesterday as having a clear majority of the committee on candidates, a bare majority of the executive committee and a probable minority of the members of the general fusion committee. In the beginning his availability as a candidate—his popularity and the impression he would make on the stump—was very much in doubt among the fusion leaders, including those who were his unfettered friends on the two sub-committees. Later these two committees have been much impressed at the showing of popular interest in his behalf, but there was great doubt yesterday that the fusion party would succeed in electing a majority of the general committee.

The committee on candidates will not make its report to the executive committee until next week, and the report of the executive committee to the general committee of 110 will follow several days later. The committee on candidates will put an end to-day to the series of sessions which have been going on in the interest of the several candidates and will spend the rest of the week whipping into shape a set of tentative tickets for presentation to the executive committee.

No Final Judgment Yet.

The committee has not come to a final judgment even on its recommendation for the Mayoralty. But the members, talking among themselves and with the members of the general committee, have indicated how their individual preferences stand. No one in authority yesterday would say that the members have made up their minds finally, but their sentiments have been expressed clearly enough to give an idea of how they stand.

The following lineup of the committee on candidates was said yesterday to be a real indication of how the committee stands: Henry H. Haggood, president.

For Borough President McAneny, eight members: Joseph M. Price, chairman of the committee; Nathan A. Smyth, William Loeb, Jr., Henry Moskowitz, Darwin I. Janney, Jr., Edward E. Russell, E. W. Allen and William H. Williams of Queens.

For Charles S. Whitman, four members: John Henry Hammond, Norman Haggood, chairman of the general committee; Henry D. Forest Baldwin and Henry L. Stimson.

For John Purroy Mitchell, two members: Timothy Healy and Richard W. Lawrence.

Norman Haggood was quoted yesterday afternoon in a Brooklyn paper as prophesying Mr. Whitman's nomination.

"This statement," said Mr. Haggood last night, "is absolutely untrue. It would not only be improper for me to make any statement of this kind but it would be ridiculous because I have no knowledge whatever as to who the committee is nominating. All sorts of gossip stories will be printed in various newspapers from this time on until we make our final decision. Any statement of this indirect kind printed in any newspaper should be taken as absolutely valueless by sensible readers."

Whitman to Head One Ticket.

There was no doubt yesterday that Mr. Whitman will head one of the tickets which the committee on candidates will propose to the executive committee. George McAneny will head another. It was said yesterday, in view of the sentiments expressed by the committee on candidates, that Mr. McAneny will be at the top of the preferred ticket.

In case Mr. McAneny is finally made the fusion nominee a strong effort will be made to induce Mr. Whitman to take a renomination for District Attorney. On the other hand, if Mr. Whitman is made the fusion nominee the leaders will try to get Mr. McAneny to take a renomination for his present office or a nomination for President of the Board of Aldermen. Both men have told their friends that they won't take a subordinate place on the ticket.

Comptroller Prendergast is sure of a renomination on both the tentative tickets. Deputy Comptroller Augustus Mathewson has a chance for the Borough Presidency of the Bronx and Lewis H. Pounds appears to be the favorite for the Borough Presidency of Brooklyn. Henry H. Curran, John J. Hopper and Louis Armstrong, at present secretaries of the Borough of Manhattan, are being considered for the Presidency of the Board of Aldermen. Ex-Senator Hayne is a possibility as President of the Borough of Richmond. In opposition has developed in the fusion committee against George Cronwell, now Borough President of Richmond.

Progressives May Bolt.

Should Mr. Whitman be the candidate the Progressives, under the leadership of Francis W. Bird, chairman of the New York county organization, are regarded as sure to bolt. From the beginning Mr. Bird has declared his opposition to Mr. Whitman, and the rank and file of his organization are with him. Timothy L. Woodruff, leader of the Kings county organization, has hedged several times in telling how he stands with regard to Mr. Whitman, but his last utterance, made under what amounted to a threat of deposition as leader, was that the fusionists should nominate an independent Democrat.

That independent Democrat is John Purroy Mitchell. There was a well founded rumor yesterday that the Progressives will take Mr. Mitchell or nobody. Mr. Bird was not ready to say that his organization, banking on Hearst support, would run Mr. Mitchell no matter what the fusionists do, but his friends said that in exactly what Mr. Bird would like to try.

That means that Mr. McAneny is scarcely less agreeable to the Progressive organization than is District Attorney Whitman, and that they will run Mr. Mitchell in case they can induce him to try it alone. Mr. Bird thinks he would have the support of W. R. Hearst in such a venture, but recent events point the other way. Mr. Hearst said that he would not give a sign of where he stood. It was suggested yesterday that the Republican organization, in case it does not make the fusion nomination, will run Mr. Whitman, might look for Hearst support in a go it alone campaign with the District Attorney at the head of a Republican-Independence League ticket.

New Parish in New Rochelle.

The diocesan authorities have appointed the Rev. Andrew T. Boe of the Apostolic Mission Band to establish a new Roman Catholic parish in the park section of New Rochelle. Father Roche has been a member of the mission band since 1904.

POLICE HONOR CAHILL AT BURIAL

Comrades of Murdered Policeman Escort Body to Grave.

The funeral of Policeman John E. Cahill, who was murdered by burglars in the yard of St. Matthew's Roman Catholic Church at Lincoln place and Utica avenue, Brooklyn, early Monday morning, was held yesterday afternoon at the Cahill home, 120 Chestnut street, East New York. Deputy Police Commissioner McKay, Dougherty and Dillon attended the funeral. Commissioner Waldo is in Europe.

By order of acting Commissioner McKay the flags on all police stations throughout the five boroughs were lowered to half mast at noon and were not raised until 4 o'clock, after the body had been placed in the grave in the Lutheran Cemetery in Queens.

The casket was carried from the house by four policemen from Cahill's precinct, walking between two files of fifty uniformed policemen each. The police band of sixty pieces played the funeral march and the whole command of the Atlantic avenue police station, under Capt. Rooney, acted as escort. Taps were sounded as the casket was lowered into the grave. The Rev. Dr. Arthur H. Brunh, pastor of St. Peter's Lutheran Church, preached the funeral sermon. The widow was accompanied by her five small children.

MRS. STORY REFUSES TO BE MARTHA WASHINGTON

Greenwich Benefit a Success,
Although There Were Objections to Hazards.

GREENWICH, Conn., July 23.—Society, chiefly New Yorkers summing in Greenwich, presented tonight at the Haymeyer Auditorium to a crowded house the first of its four kindness, patient and festive entertainments of the week under the direction of Miss Lila Agnew Stewart, with Lester Hirsch's orchestra, and for the benefit of Greenwich's organized charitable organization, the United Workers.

The entertainment was first class, but the committee of which Mrs. Henry H. Adams of New York is honorary chairman, had its troubles and perplexities.

Gov. Baldwin and staff were unable to attend the executive committee of the United Workers refused to allow an automobile and United States Steel Corporation stock to be raffled for its benefit, and Mrs. William C. Story, a Greenwich resident, recently elected president-general of the Daughters of the American Revolution, decided at the last minute not to act as Martha Washington in a Colonial sketch which members of the local Putnam Hill Chapter, D. A. R., had planned.

Mrs. Colby M. Chester, Jr., made a very good substitute for Martha. E. B. Coe substituted as George Washington for Col. William D. H. Washington, great-grand-nephew of the original George Washington, who also dropped out with Mrs. Story.

The proceeds of the automobile and stock raffles will be given to the local hospitals, and when it comes to a voting contest on Friday night for the most popular dance, that money also will go to the hospitals, although the United Workers have shown no objection to receiving the proceeds from the voting.

GETS CONTRACT FOR DAM ROAD.

Contractor to Be Paid About \$700,000 for 32 Miles of Work.

BEACON, N. Y., July 23.—The New York Board of Water Supply has just awarded to Samuel Beskin of this place a contract to build 32 miles of road around the Ashokan dam in Lister county. The contract price is just below \$700,000. The Beskin bid was \$3,000 below the next highest.

The contractor said to-night it will take at least two years to complete the work. Mr. Beskin has formed a partnership with a New York contractor to handle the contract. At least 1,000 men will be engaged in the road work. The job will be started within two weeks. The contract will probably be signed in New York on Saturday.

GAYNOR WON'T TURN DOWN DEMOCRATS

Appleton Assails Fusion Leaders for Demand to Renounce Tammany.

CALLS IT PARTISANSHIP

Points to Disaster After Similar Fusion Move Ten Years Ago.

R. Ross Appleton, who is conducting the campaign for Mayor Gaynor's renomination, raised the issue of partisanship in a letter yesterday to Joseph M. Price, chairman of the fusion committee on candidates. His letter was a reply to a demand from Mr. Price that the Mayor renounce any chance of a Tammany nomination as the preliminary to consideration by the fusion committee.

At the close of the letter, which was written in a style as vivid as Mayor Gaynor's own, Mr. Appleton referred to the disaster which followed when the fusionists rejected their own nominee, Edward M. Grout and Cornelius A. Forney, when Tammany endorsed them.

Mr. Appleton's letter was in part as follows: "Your letter of July 21 in answer to mine of the same date to Mr. Hazwood is at hand. Excuse me for having written to you as I did. I was surprised, your committee represented a non-political movement to nominate a proper man for Mayor. But you say in your letter for your committee that 'we shall be glad to have presented to us the claim of any candidate (for Mayor) who will refuse a demand from Tammany nomination or endorsement.'"

Tammany Can't Nominate.
"Tammany is the nickname or familiar designation of the organization of the Democratic party in the Borough of Manhattan only. That organization cannot nominate a candidate for Mayor, but only for President of the Borough of Manhattan. It would therefore be easy to give a pledge not to accept a nomination for Mayor from that organization, since it cannot tender one."

But I suppose you mean more than you say. The nomination for Mayor has to be made by a convention of the whole city, made up of delegates from the separate Democratic organizations of each of the five boroughs, namely, the boroughs of Manhattan, Bronx, Queens, Brooklyn and Richmond.

"I therefore understand the position of your committee to be that it will not nominate any candidate for Mayor unless he pledges himself in advance that he will not permit the Democratic party of this city in convention assembled to endorse his nomination. This must sound strange to most people, but I have no wish to criticize it. If you desire your candidate to be elected, would you think that you would welcome his endorsement and election by all qualified electors, organized and unorganized?"

"The committee which I represent intends to nominate Mr. Gaynor for Mayor. One of our chief reasons is that he has lifted the government of this city out of the control of party organizations for the first time in its history. We ask every organization and every elector without regard to politics to endorse our selection and elect him."

"We do not undertake the delicate and, as we think, over-enthusiastic task of deciding who are good enough and who are not good enough to endorse and vote for him and elect him a pledge not to let those latter do so."

"We intend to draw no partisan line. If you think you can get Mayor Gaynor to do so, after his twenty-five years of work for and out of office to do away with political partisanship and control in local government."

The White Linen Nurse

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ernment, you must apply to him directly.

"And let me remind you of a matter of recent history on the subject from which we may all learn something. Ten years ago a so-called non-political fusion ticket was made up in this city by a committee like yours and endorsed by the Republican convention and so-called non-partisan independent convention."

"When the Democratic convention met it endorsed two of the nominees, namely for controller and President of the Board of Aldermen. The said committee thereupon called upon these two nominees to refuse the endorsement, and on their refusal the said committee and the two conventions met and expelled them from the so-called non-partisan fusion ticket and substituted two other nominees in their stead."

"The result was a signal defeat of the so-called non-partisan fusion ticket. It is official record that the two nominees received the largest vote of all the matter of non-electors, who think simply and honestly, were not able to understand why the endorsement and vote of any man who wanted to help in a good cause should be scorned or repelled."

M'ANENY SARCASTIC IN REPLY TO CRAM

Warmly Justifies His Letter to
Judge McCall on Stevens
Contract.

Borough President McAneny replied with heat yesterday to the attack which Judge McCall made upon him at a session of the Public Service Commission on Tuesday.

Mr. McAneny said that his letter to Judge McCall asking the commission to turn down the contract which the Interborough proposed to make with John F. Stevens was a necessary expression of opinion from him as chairman of the Transit Committee of the Board of Estimate.

"I discussed in a perfectly temperate way," said Mr. McAneny, "a matter of very considerable importance that is officially before the commission and properly open for discussion, and Judge McCall's rebuke of Cram when that great man and hard working public servant talked yesterday of politics was well merited."

"Cram, as usual, displayed an utter misconception of the whole matter. To assume that he has ever read the contracts between the city and the railroad company would, I suppose, be to assume too much. If he had read and understood them, he would know that I am proposing no change whatever from the agreement made in March, but that the spirit of that agreement be properly observed and that the city should actually use the power that the railroad company reluctantly conceded to it. I might add that I have very little doubt that Mr. Cram's associates in the commission will take the same view."

"It was expressly stated in the certificate to the Manhattan company that the city through the Public Service Commission may require that a contract for construction and equipment such as this one be subjected to competitive bidding, and in the contracts already let for the Brooklyn elevated work, which is substantially of the same nature, the principle of competition has been adopted. It does not follow that there shall be absolutely open competition with the chance of a lowest bidder award to an irresponsible contractor."



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